

HOUSE BILL 4011

By Armstrong

AN ACT to amend Tennessee Code Annotated, Title 53  
and Title 63, relative to dispensing of certain drugs  
in federally qualified health centers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 10, Part 2, is amended by  
adding the following as a new section:

63-10-214.

(a) In a federally qualified health center, a registered nurse or certified pharmacy technician is not authorized to dispense prescription drugs without the direct, on-premises, supervision by an on-duty pharmacist unless authorized by subsection (b).

(b) In a federally qualified health center, a registered nurse or certified pharmacy technician is allowed to dispense prescription drugs without the direct, on-premises supervision of a pharmacist when the pharmacist provides supervision of the dispensing by means of telepharmacy/telemedicine online computer technology. Each dispensing transaction by a registered nurse, or telepharmacy/telemedicine, or certified pharmacy technician, under this subsection (b) must be supervised by online computer technology. A pharmacist may only provide such supervision when on duty at an appropriate pharmacy facility. In dispensing under this subsection (b), a pharmacist may not stock pre-packaged medications for new patients, unless the pharmacist has individually reviewed the prescription.

(c) It is the intent of the general assembly that this section shall comply with all applicable requirements of the federal 340B drug pricing program.

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. For the purposes of promulgating rules this act shall take effect on becoming law the public welfare requiring it, and for all other purposes this act shall take effect July 1, 2008, the public welfare requiring it.